

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: CHAIRMAN JOE BALYEAT, on January 23, 2009 at 10 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Jim Peterson (R)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 247, SB 242, 1/21/2009

Executive Action: SB 135, SB 176

HEARING ON SB 247

Opening Statement by Sponsor:

00:01:51 **SEN. JERRY BLACK (R), SD 14**, opened the hearing on **SB 247**, Reporting requirements for nonferrous metals.

Proponents' Testimony:

00:06:17 Gary Wiens, Electric Cooperative Association
00:11:21 John Fitzpatrick, Northwestern Energy
00:12:36 Rep. Roy Hollandsworth, HD 28, Brady
00:14:20 Geoff Feiss, General Manager, Montana
Telecommunications Association
00:14:41 Bonnie Lorange, Montana Independent Telecommunications
Systems
00:15:09 Meryl Raph, Marias River Electric, Montana County
Attorneys Association
00:19:01 Jim Gallup, Golden Steel Recycling, Billings
00:21:12 Mike Kempel, Pacific Steel and Recycling, Helena
00:21:33 Tom Ebzery, Attorney, representing Qwest Communications

EXHIBIT (bus16a01)

00:21:15 Chairman Balyeat left the room. Vice Chairman Jackson
assumed the role of Chair.

Opponents' Testimony: None

Informational Testimony:

00:23:24 Gale Kuntz, Bonneville Power Administration

Questions from Committee Members and Responses:

00:25:20 Sen. Balyeat returned. He is the sponsor of the next
bill in this committee.

00:25:21 Sen. Keane
00:27:47 Mr. Kemple
00:27:55 Sen. Keane
00:27:57 Mr. Gallup
00:28:46 Sen. Barkus
00:32:45 Mr. Wiens
00:33:00 Sen. Tropila
00:33:13 Mr. Kemple
00:33:50 Sen. Tropila
00:34:10 Mr. Gallup
00:34:16 Sen. Keane
00:36:27 Mr. Gallup

00:37:52 Sen. Keane

00:37:57 Mr. Kemple

Closing by Sponsor:

00:38:46 Sen. Black

HEARING ON SB 242

Opening Statement by Sponsor:

00:41:37 SEN. JOE BALLYEAT (R), SD 34, opened the hearing on SB 242, Revise antiquated boiler regulations regarding inspections, fees, licenses.

[EXHIBIT \(bus16a02\)](#)

[EXHIBIT \(bus16a03\)](#)

Proponents' Testimony:

00:48:32 Russ Penkal, Belgrade Businessman

[EXHIBIT \(bus16a04\)](#)

Opponents' Testimony:

00:54:31 Greg Van Horssen, State Farm Insurance Company

00:56:29 Jacqueline Lenmark, American Insurance Association

01:02:22 James McGimpsey, National Board of Pressure Boiler Inspectors

01:04:29 Robert Johnson, AFL/CIO

Informational Testimony:

01:06:09 Dave Cook, Boiler Safety and Licensing, Department of Labor (DOLI)

Questions from Committee Members and Responses:

01:06:33 Sen. Keane

01:07:50 Mr. Cook

01:08:52 Sen. Keane

01:09:45 Mr. Van Horssen

01:10:09 Sen. Brown

01:10:25 Mr. Cook

01:10:35 Sen. Steinbeisser

01:10:56 Sen. Ballyeat

01:11:16 Sen. Steinbeisser

01:11:22 Mr. McGimpsey

01:11:47 Sen. Barkus

01:16:34 Mr. McGimpsey

01:16:49 Vice Chairman Jackson
01:17:57 Mr. Johnson
01:19:05 Vice Chairman Jackson
01:24:45 Mr. McGimpsey
01:25:49 Sen. Squires
01:26:05 Mr. McGimpsey
01:27:47 Vice Chair Jackson

Closing by Sponsor:

01:27:55 Sen. Balyeat

01:33:00 Vice Chairman Jackson

01:33:26 Break
01:42:10 Reconvene with Chairman Balyeat in charge. Sen.
Stewart-Peregoy was not in the room.

EXECUTIVE ACTION ON SB 176

01:42:13 **Motion:** Sen. Barkus moved **SB 176 DO PASS.**

Discussion:

01:42:45 Chairman Balyeat
01:44:09 Pat Murdo, Legislative Services

01:44:34 **Motion:** Sen. Barkus moved that **SB 176 BE AMENDED.**
EXHIBIT(bus16a05)

Discussion:

01:45:40 Ms. Murdo
01:45:56 Sen. Barkus

01:46:01 **Vote;** Motion carried unanimously 11-0, by voice vote.
Sen. Stewart-Peregoy, Sen. Peterson, and Sen. Squires
voted by proxy.

01:46:15 **Motion/Vote:** Sen. Barkus moved **SB 176 DO PASS AS**
AMENDED. Motion carried unanimously 11-0, by voice
vote. Sen. Stewart-Peregoy, Sen Peterson, and Sen.
Squires voted by proxy.

01:46:55 Sen. Stewart-Peregoy entered the room.

EXECUTIVE ACTION ON SB 135

01:47:07 **Motion:** Sen. Keane moved **SB 135 DO PASS.**

01:47:19 **Motion:** Sen. Keane moved that **SB 135 BE AMENDED.**
EXHIBIT(bus16a06)

Discussion:

01:47:42 Ms. Murdo
01:52:06 Sen. Barkus
01:52:55 Ms. Murdo
01:53:44 Chairman Balyeat
01:53:54 Cristina Goe, State Auditors Office
01:54:43 Sen. Barkus

01:54:56 **Vote:** Motion carried 11-0, by roll call vote. Sen.
Peterson and Sen. Squires voted by proxy.

01:56:20 **Motion:** Sen. Keane moved **SB 135 DO PASS AS AMENDED.**

Discussion:

01:56:35 Chairman Balyeat
01:56:40 Sen. Brown
01:57:16 Sen. Keane
01:57:33 Sen. Barkus
01:58:45 Sen. Tropila
01:58:54 Chairman Balyeat

01:58:59 **Vote:** Motion carried 10-1 with Sen. Balyeat voting no
by voice vote. Sen. Peterson and Sen. Squires voted
by proxy.

ADJOURNMENT

Adjournment: 12:02 P.M.

LINDA KEIM, Secretary

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Additional Exhibits:

EXHIBIT ([bus16aad.pdf](#))